

## **RESPONSE TO OFFICE ACTION**

### **I. The Amendments and Specification Objections**

#### **A. Abstract**

The Abstract corresponds to the abstract as published in the international application. A separate sheet containing the above Abstract is included (numbered as page 20).

#### **B. Cross-referencing**

Currently, there are no pending related applications that require Applicants to provide cross-references, as requested by the Examiner.

#### **C. Figure 3**

Figure 3 is referred to and identified in the specification, for example, at page 8, lines 4-5, and page 11, lines 8-15.

### **II. Rejections under 35 U.S.C. § 112, second paragraph**

Claims 20-33 stand rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, alleged as indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Specifically, claims 20 and 25 are alleged as confusing as written and claims 21-24, 28, 30-32 are alleged to lack proper antecedent basis. Applicants respectfully traverse the rejections.

Claims 20 and 25 are amended as noted above, in order to clarify further the subject matter of the claimed invention. Applicants believe that simply providing the claims in a more clear format that sets out and identifies the steps of the claimed process creates clearer and more concise claims, as requested by the Examiner.

Claims 21-24, 28, and 30-32 are amended as noted above in order to provide proper antecedent basis. Claims 26-27, 29, and 33 are also amended to correct antecedent basis.

In light of these amendments to the claims, Applicants believe that all the pending rejections of the claims under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph are overcome. These

amendments are made for reasons of clarity and format only, and should not be viewed as limiting the scope of the invention as originally claimed.

### **III. Rejections under 35 U.S.C. § 102(b)**

Claims 20-22, 25-26, and 33 stand rejected under 35 U.S.C. § 102(b), alleged as anticipated by Sutton (U.S. Patent No. 4,088,259). Specifically, Sutton is alleged to disclose a process and apparatus wherein a rotating apparatus is used in the manufacture of egg cartons. The Applicants respectfully traverse the rejection.

In order for a reference to properly anticipate the claims of an invention, that reference must teach each and every element set forth in the claim, either expressly or inherently. M.P.E.P. § 2131.

Claim 20 of the present application, as amended, is directed to a pulp moulding process that includes the steps of

- (A) *preparing pulp stock;*
  - (B) *forming wet pulp products by means of a forming die; and*
  - (C) *delivering the pulp products to a downline facility,*
- wherein the wet pulp products are*

*transferred from the forming die by means of a first die element of a heated transferring die-and-pressing tool arrangement that comprises the first die element and a second die element, having a mould cavity therebetween, wherein the wet pulp products are simultaneously pressed and dried in the heated transferring die-and-pressing tool arrangement, and transferred to the down-line facility by the second die element as pressed, dried pulp products.*

The Office alleges that Sutton discloses a process and an apparatus wherein a rotating apparatus is used in the manufacture of egg cartons. As characterized in the Office action, Sutton describes a foraminous vacuum forming mold 54 that is rotated into the source 52 of aqueous pulp solution, and suction is applied to deposit from the slurry a layer of wet pulp on the open face of mold 54. It is then stated that

"mold 54 is rotated and press dried against vacuum dried and steam heated mold 56."

Therefore, it appears that the Office is incorrectly regarding the combination of foraminous vacuum forming mold 54 and vacuum drying mold 56 as a "heated transferring die-and-pressing tool arrangement", as claimed in the instant invention. This view is erroneous for several reasons.

Firstly, the instant invention clearly contemplates a separate forming die (element (7) in the specification; step (B) of claim 20), from which the wet pulp product is removed by a transfer die (13). Further, as is clear from page 11, line 9 - 14, and figure 3 of the application, the part of the instant invention corresponding to the combination of molds 54 and 56 of Sutton is the combination of forming die (7) and heated transfer die (13). In the instant invention, the heated transfer die, (13), in combination with the heated pressing tool, (14), are referred to as the heated transfer die-and-pressing tool arrangement. This arrangement is not disclosed in Sutton.

Secondly, Sutton does not suggest that any substantial drying or pressing, in the sense of product finishing, takes place on the interaction between molds 54 and 56. Rather, the substantial drying and finish-forming is performed at the "finish-forming stations" (66) that contain a "finishing mold" (58). These stations and finishing molds are not recited in the language of claim 20.

Thirdly, the pulp product of Sutton does not leave the mold cavity formed between molds 54 and 56 as "pressed, dried pulp products" as recited in the language of claim 20. As detailed above, Sutton requires that the pressing and drying occur between molds 56 and 58, at the finish-forming stations 66. Thus, the combination of molds 54 and 56 cannot thus be construed as a heated transferring die-and-pressing tool arrangement, as claimed in the instant invention.

Further, claim 20 as pending recites that the wet pulp products are transferred from the forming die (7) by means of the first die element of the heated transferring die-and-pressing tool arrangement (13), and transferred to the down-line facility by the second die element thereof (14).

Sutton, however, requires that all the transferring of the pulp products be performed by heated drying mold, 56. The finishing mold of Sutton, 58, performs no transferring function whatsoever. Sutton requires a single mold 56 to transfer the product from the vacuum forming mold 54, through all the finish forming stations 66, and on to the vacuum transfer molds 60 for final deposit on to the stack 22. According to the present invention, however, each of the functions of drying, finishing and transferring are performed by both the first die element and the second die element of the heated transferring die-and-pressing tool arrangement.

As each of the die elements in the applicants' invention performs a transferring function, the movement required by each individual element is more limited, allowing for a more compact machine.

Thus, the disclosure of Sutton fails to teach or suggest each and every aspect of the claimed invention, and thus, does not serve as a proper anticipatory reference. Accordingly, in light of the above arguments, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims under § 102(b).

#### **IV. Allowable Subject Matter and Conclusion**

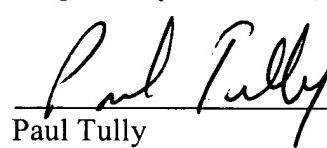
Applicants gratefully acknowledge the notification of certain allowable claimed subject matter. Nevertheless, Applicants believe that in light of the instant amendments and arguments provided above, all the pending claims are allowable. Applicants also believe that the disclosure found in the specification and language of the claims, each provide adequate reasons for allowability, in and of itself.

If the Examiner believes that a personal or telephonic interview would expedite prosecution of the instant application, he is invited to call the undersigned at (312) 913-0001.

Respectfully Submitted,

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By:

  
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